

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

**OSCAR LUNA,
(BOP # 56747-097),**

Petitioner,

v.

MYRON BATTES, Warden,

Respondent.

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**CIVIL ACTION NO.
1:15-CV-058-P-BL**

**ORDER ACCEPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Report and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and they are accepted as the findings and conclusions of the Court. For the reasons stated in the Report and Recommendation of the United States Magistrate Judge, by separate judgment, the petition for habeas corpus under 28 U.S.C. § 2241 is **DISMISSED** without prejudice for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b).

SIGNED this 4th day of February, 2016.


JORGE A. SOLIS
UNITED STATES DISTRICT JUDGE